



EXPRESS MAIL MAILING LABEL NO. EV 688844204 US

PATENT  
Attorney Docket No. MDS-009CN  
(120407/156456)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Modell et al. CONFIRMATION NO.: 6590  
SERIAL NO.: 09/841,325 GROUP NO.: 3737  
FILING DATE: April 24, 2001 EXAMINER: Smith, Ruth S.  
TITLE: Spectral Volume Microprobe Arrays

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NINTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the foreign patent documents are enclosed.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**

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- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

Additionally, Applicant wishes to call to the Examiner's attention any Office Actions issued in the following commonly-owned, co-pending patent applications:

- 1) U.S. Serial No. 11/127,062, Attorney Docket No. MDS-009C2, filed on 5/11/05, by DeBaryshe et al.;
- 2) U.S. Serial No. 11/018,665, Attorney Docket No. MDS-012DV, filed on 12/21/04, by Nordstrom et al.;
- 3) U.S. Serial No. 10/068,133, Attorney Docket No. MDS-013AC2, filed on 2/5/02, by Kaufman et al.;
- 4) U.S. Serial No. 10/911,996, Attorney Docket No. MDS-013AC3, filed on 8/5/04, by Kaufman et al.;
- 5) U.S. Serial No. 09/738,147, Attorney Docket No. MDS-013B, filed on 12/15/00, by Kaufman et al.;
- 6) U.S. Serial No. 10/411,777, Attorney Docket No. MDS-013BC1, filed on 04/11/03, by Kaufman et al.;
- 7) U.S. Serial No. 10/870,672, Attorney Docket No. MDS-014C2, filed on 6/17/04, by Modell et al.;
- 8) U.S. Serial No. 10/122,429, Attorney Docket No. MDS-015CN, filed on 4/12/02, by Nordstrom et al.;
- 9) U.S. Serial No. 10/701,123, Attorney Docket No. MDS-016CN, filed on 11/4/03, by Modell et al.;
- 10) U.S. Serial No. 10/872,128, Attorney Docket No. MDS-020C1, filed on 6/18/04, by Costa et al.;
- 11) U.S. Serial No. 10/071,932, Attorney Docket No. MDS-022C1, filed on 2/8/02, by Nordstrom et al.;
- 12) U.S. Serial No. 10/192,820, Attorney Docket No. MDS-028, filed on 7/10/02, by Schomacker et al.;
- 13) U.S. Serial No. 10/099,881, Attorney Docket No. MDS-030, filed on 3/15/02, by Kaufman et al.;
- 14) U.S. Serial No. 10/273,511, Attorney Docket No. MDS-031, filed on 10/18/02, by Clune et al.;
- 15) U.S. Serial No. 10/894,356, Attorney Docket No. MDS-032C1, filed on 7/19/04, by Zelenchuck et al.;
- 16) U.S. Serial No. 10/848,735, Attorney Docket No. MDS-033C1, filed on 5/19/04, by Schomacker et al.;
- 17) U.S. Serial No. 10/295,794, Attorney Docket No. MDS-034, filed on 11/15/02, by Schomacker et al.;
- 18) U.S. Serial No. 10/828,624, Attorney Docket No. MDS-034DV, filed on 4/21/04, by Schomacker et al.;
- 19) U.S. Serial No. 10/418,922, Attorney Docket No. MDS-035, filed on 4/18/03, by Flewelling et al.;
- 20) U.S. Serial No. 10/418,902, Attorney Docket No. MDS-035A, filed on 4/18/03, by Jiang et al.;
- 21) U.S. Serial No. 10/418,974, Attorney Docket No. MDS-035B, filed on 4/18/03, by Jiang;
- 22) U.S. Serial No. 10/418,668, Attorney Docket No. MDS-035D, filed on 4/18/03, by Costa et al.;
- 23) U.S. Serial No. 10/418,975, Attorney Docket No. MDS-035E, filed on 4/18/03, by Jiang et al.;
- 24) U.S. Serial No. 10/418,415, Attorney Docket No. MDS-035F, filed on 4/18/03, by Schomacker et al.;
- 25) U.S. Serial No. 10/419,181, Attorney Docket No. MDS-035G, filed on 4/18/03, by Jiang et al.; and
- 26) U.S. Serial No. 10/418,973, Attorney Docket No. MDS-035H, filed on 4/18/03, by Schomacker et al.
- 27) U.S. Serial No. 10/530,741, Attorney Docket No. MDS-037, filed on 4/7/05, by Flewelling et al.;

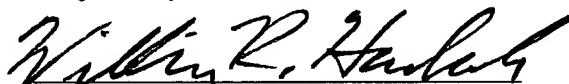
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

**STATEMENT**

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



William R. Haulbrook, Ph.D.

Attorney for Applicants

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Exchange Place

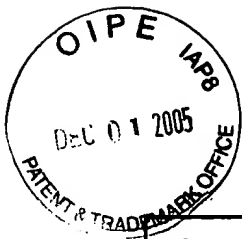
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|---|---|--|-------------|---|------------------------|------------------|-----------------------------------|----------------------|---------------------------|
| <b>FORM PTO - 1449</b>  |   |  |             | <b>ATTORNEY DOCKET NO.: MDS-009CN</b>               |                        |                  |                                   |                      |                           |
| <b>9<sup>th</sup> SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b> |   |  |             | <b>APPLICANTS: Modell et al.</b>                    |                        |                  |                                   |                      |                           |
|   |   |  |             | <b>SERIAL NO.: 09/841,325</b>                       |                        |                  |                                   |                      |                           |
|   |   |  |             | <b>FILING DATE: April 24, 2001      GROUP: 3737</b> |                        |                  |                                   |                      |                           |
| <b>U.S. PATENT DOCUMENTS</b>  |   |  |             |   |                        |                  |                                   |                      |                           |
| <b>EXAM. INIT.</b>  |   | <b>DOCUMENT NUMBER</b>   | <b>DATE</b> | <b>NAME</b>   | <b>CLASS</b>           | <b>SUB CLASS</b> | <b>FILING DATE IF APPROPRIATE</b> |                      |                           |
|   | A300  | 3,945,371  | 03/23/76    | Adelman   |                        |                  |                                   |                      |                           |
|   | A301  | 5,199,431  | 04/06/93    | Kittrell <i>et al.</i>                              |                        |                  |                                   |                      |                           |
|   | A302  | 5,659,384  | 08/19/97    | Ina   | 355                    | 53               |                                   |                      |                           |
|   | A303  | 5,832,931  | 11/10/98    | Wachter <i>et al.</i>                               |                        |                  |                                   |                      |                           |
|   | A304  | 6,166,079  | 12/26/00    | Follen <i>et al.</i>                                |                        |                  |                                   |                      |                           |
|   | A305  | 6,210,331  | 04/03/01    | Raz   |                        |                  |                                   |                      |                           |
|   | A306  | 6,424,852  | 07/23/02    | Zavislan  |                        |                  |                                   |                      |                           |
|   | A307  | 6,794,431  | 09/21/04    | Rosania <i>et al.</i>                               |                        |                  |                                   |                      |                           |
| <b>FOREIGN PATENT DOCUMENTS</b>                                     |   |  |             |   |                        |                  |                                   |                      |                           |
| <b>EXAM. INIT.</b>  |   | <b>DOCUMENT NUMBER</b>   | <b>DATE</b> | <b>COUNTRY CODE</b>                                 | <b>CLASS</b>           | <b>SUB CLASS</b> | <b>FILING DATE</b>                | <b>ABSTRACT ONLY</b> | <b>ENGLISH LANG (Y/N)</b> |
|   |   |  |             |   |                        |                  |                                   |                      |                           |
| <b>OTHER ART, JOURNAL ARTICLES, ETC.</b>                            |   |  |             |   |                        |                  |                                   |                      |                           |
| <b>EXAM. INIT.</b>  | <b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b> |  |             |   |                        |                  |                                   |                      |                           |
|   | C113  | European Search Report for Pending European Patent Application No. 00938257, June 14, 2005 (3 pgs.)            |             |   |                        |                  |                                   |                      |                           |
|   | C114  | International Search Report for International Application No. PCT/US03/21347 dated November 3, 2003 (2 pages). |             |   |                        |                  |                                   |                      |                           |
| <b>EXAMINER</b>   |   |  |             |   | <b>DATE CONSIDERED</b> |                  |                                   |                      |                           |